

## **EXHIBIT 1**



Entered on Docket  
May 18, 2009

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**LEWIS AND ROCA LLP**

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,<sup>1</sup>

USA CAPITAL DIVERSIFIED TRUST DEED  
FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,<sup>2</sup>

USA SECURITIES, LLC,<sup>3</sup>

Debtors.

**Affects:**

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR<sup>1</sup>  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>2</sup>  
Case No. BK-S-06-10729-LBR<sup>3</sup>

**CHAPTER 11**

Jointly Administered Under  
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING FIRST OMNIBUS  
OBJECTION OF USACM TRUST TO  
PROOFS OF CLAIM BASED UPON  
INVESTMENT IN COPPER SAGE  
COMMERCE CENTER, LLC LOAN  
EXCEPT FOR AMOUNTS DESIGNATED  
AS "UNREMITTED PRINCIPAL"  
(EXCEPT FOR WAYNE DOTSON CO.)**

Hearing Date: April 30, 2009  
Hearing Time: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on September 23, 2008.

<sup>2</sup> This bankruptcy case was closed on October 12, 2007.

<sup>3</sup> This bankruptcy case was closed on December 21, 2007.

1 The Court having considered the "First Omnibus Objection Of USACM Trust To  
2 Proofs Of Claim Based Upon Investment In Copper Sage Commerce Center, LLC Loan  
3 Except For Amounts Designated As 'Unremitted Principal'" [Docket No. 6969] (the  
4 "Objection"); with appropriate notice of the Objection having been given; with no  
5 response to the Objection having been filed; and good cause appearing:

6 **IT IS HEREBY ORDERED** that:

7 1. The Objection is sustained except for the objection to the claim of Wayne  
8 Dotson Co., which was withdrawn;

9 2. The amounts listed as "Unremitted Principal" on Exhibit A attached are  
10 allowed as general unsecured claims; and

11 3. The balance of the claims listed on Exhibit A attached to this Order are  
12 disallowed to the extent they are based upon Copper Sage Commerce Center, LLC Loan,  
13 an investment that has been repaid in full.

14 4. Nothing in this order shall prejudice the USACM Trust to file further  
15 objections to any portion of the claims.

16  
17 PREPARED AND RESPECTFULLY SUBMITTED BY:

18 **LEWIS AND ROCA LLP**

19 By /s/ John Hinderaker (018024)  
20 Rob Charles  
John Hinderaker  
21 3993 Howard Hughes Parkway, Ste. 600  
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22 Telephone: (520) 629-4427  
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24 *Attorneys for USACM Liquidating Trust*  
25  
26

LEXIS  
AND  
ROCA  
LLP  
LAWYERS

1 APPROVED/DISAPPROVED

2  
3 By: \_\_\_\_\_  
4 August Landis  
5 Assistant United States Trustee  
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1 In accordance with Local Rule 9021, the undersigned certifies:

- 2 ☐ The Court waived the requirements of LR 9021.
- 3 ☐ No parties appeared or filed written objections, and there is no trustee appointed
- 4 in this case.
- 5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the
- 6 hearing, any unrepresented parties who appeared at the hearing, and any trustee
- 7 appointed in this case, and each has approved or disapproved the order, or failed
- 8 to respond, as indicated below (list each party and whether the party has
- 9 approved, disapproved, or failed to respond to the document):

U.S. Trustee: August Landis	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

14 ###

15 Submitted by:

16 **LEWIS AND ROCA LLP**

17 By: /s/ JH (#018024)

18 Rob Charles

19 John Hinderaker

20 Attorneys for USACM Liquidating Trust

**COPPER SAGE I LOAN  
FIRST OMNIBUS OBJECTION**

**EXHIBIT A  
Single Loan Claims**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Claim Amount Relating to Copper Sage Commerce</b>	<b>Amount Scheduled for Unremitted Principal in the Copper Sage Commerce Loan</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment in the Copper Sage Commerce Loan</b>
<b>10725-00029</b>	Timothy F. Burrus and Joann Ortiz-Burrus	Del Hardy, Esq. Hardy Law Group 96-98 Winter St Reno, NV 89503-5605	\$64,440.40	\$64,440.40	\$34,717.39	\$29,723.01
<b>10725-01203</b>	Joan M. Crittenden	Joan Crittenden 3355 S. Ten Sleep Dr. Condo # 10 Jackson, WY 83001	\$73,241.93	\$73,241.93	\$26,038.04	\$47,203.89
<b>10725-00072</b>	Eldon N. Smith	370 N Pfeiffer Horn Dr Alpine, UT 84004	\$40,174.40	\$40,174.40	\$34,717.39	\$5,457.01
<b>10725-01344</b>	Loftfield Revocable Living Trust	c/o James Ronald Loftfield and Catherine Pauline Loftfield Tees 1532 Beech Grove Las Vegas, NV 89119-0367	\$44,191.84	\$44,191.84	\$38,189.12	\$6,002.72
<b>10725-01390</b>	Miklos Steuer	P.O. Box 60267 Las Vegas, NV 89160	\$323,533.78	\$323,533.78	\$246,187.77	\$77,346.01
<b>10725-01882</b>	Dennis Raggi	P.O. Box 10475 Zephyr Cove, NV 89448-2475	\$26,813.05	\$26,813.05	\$0	\$26,813.05
<b>10725-02568</b>	Mazal Yerushalmi	8904 Greensboro Ln Las Vegas, NV 89134-0502	\$40,174.40	\$40,174.40	\$0	\$40,174.40